

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

HABER LAND CO. LTD.,)	
)	
Plaintiff,)	
)	
v.)	No. 1:18-cv-04091-JMS-MJD
)	
AMERICAN STEEL CITY INDUSTRIAL)	
LEASING, INC.,)	
CATERPILLAR GLOBAL MINING, LLC,)	
GE ENGINE SERVICES - UNC HOLDING I)	
INC,)	
LUCAS-FERMAT LLC,)	
MOSEY REAL ESTATE, INC.,)	
MOSEY MANUFACTURING CO. INC.,)	
ALD INDIANA, LLC,)	
GENERAL RECOVERY RECYCLING, LLC,)	
)	
Defendants.)	

REPORT AND RECOMMENDATION
HON. MAGISTRATE JUDGE MARK J. DINSMORE

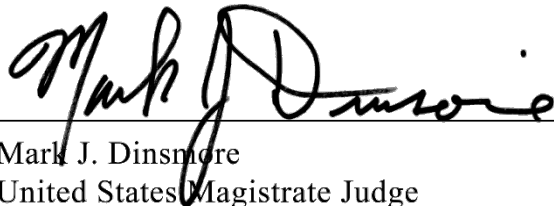
On November 21, 2019, the Court granted attorney Michael O. Nelson’s motion to withdraw Defendant American Steel City Industrial Leasing, Inc. (“American Steel”). [Dkt. 243.] As a corporate entity, American Steel must be represented by counsel for this matter to proceed. *Nocula v. UGS Corp.*, 520 F.3d 719, 725 (7th Cir. 2008). Accordingly, the Court ordered Defendant American Steel to obtain new counsel and for such counsel to enter their appearance in this matter no later than December 6, 2019. [Dkt. 243 at 2.] If counsel did not appear by that date, the Court further ordered Defendant American Steel to show cause, by no later than December 9, 2019, why default should not be entered for failure to appear to defend

against any claims, counterclaims, and crossclaims against American Steel, and why American Steel's counterclaims and crossclaims should not be dismissed for failure to appear to prosecute this action. *Id.*

To date, neither an appearance nor a response to the Court's Order to Show Cause has been filed on behalf of Defendant American Steel. Consequently, the Magistrate Judge recommends the Court issue an Entry of Default against Defendant American Steel for failure to appear to defend against any claims, counterclaims, and crossclaims. The Magistrate Judge further recommends dismissal of American Steel's counterclaims and crossclaims for failure to appear to prosecute this action.

Any objections to the Magistrate Judge's Report and Recommendation shall be filed with the Clerk in accordance with 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), and failure to timely file objections within fourteen days after service shall constitute a waiver of subsequent review absent a showing of good cause for such failure.

Dated: 10 DEC 2019

A handwritten signature in black ink, appearing to read "Mark J. Dinsmore", is written over a horizontal line.

Mark J. Dinsmore
United States Magistrate Judge
Southern District of Indiana

Distribution:

Service will be made electronically
on all ECF-registered counsel of record via
email generated by the court's ECF system.

Service via U.S. Mail:

AMERICAN STEEL INDUSTRIAL CITY
INDUSTRIAL LEASING, INC.
c/o Linda Marsteller
2771 Henn Hyde Road, NE
Warren, OH 44484

Additional Service via U.S. Mail & Email:

AMERICAN STEEL INDUSTRIAL CITY
INDUSTRIAL LEASING, INC.
c/o Thomas Nader
NADER AND NADER
7011 E. Market St.
Warren, OH 44484
nader@naderandnaderlawoffice.com